



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LAMARCHE ET AL. Examiner: C. HARRIS
Serial No.: 09/759,994 Group Art Unit: 3714
Filed: JANUARY 12, 2001 Docket: 1165.52US01
Due Date: FEB 5, 2003
Title: ELECTRONIC TEST ITEM DISPLAY AS AN IMAGE WITH OVERLAY
CONTROLS

Response

8

3/20/03

B. Ross

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on MARCH 5, 2003.

By: *[Signature]*

Name: *KATE GANNON*

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAR 19 2003
TECHNOLOGY CENTER R3700

Dear Sir:

In response to the Office Action mailed November 5, 2002, Applicants respond as follows:

REMARKS

Claims 1-21 are pending in this application. In the Office Action, the Examiner rejected claims 1-3 and claims 5-10 under 35 U.S.C § 102(b) and claims 4 and 11-21 under 35 U.S.C § 103(a). Applicant respectfully traverses these rejections. For the reasons set forth below, Applicant believes the claims are in condition for allowance and notice to that effect is earnestly solicited.

Claim Rejections under 35 U.S.C § 102(b)

The Examiner rejected claims 1-3 and 5-10 under 35 U.S.C § 102(b) as unpatentable over U.S. Patent No. 5,211,564 to Martinez et al.